

REMARKS

Favorable reconsideration in view of the amendments and following remarks is respectfully requested.

The Examiner is thanked for the thorough examination of the application.

Claims 1-24 are pending. By this Amendment, claims 14 and 15 are amended and new claims 23 and 24 are added. Currently, claims 14-19 and 22-24 are under review, claims 1-13, 20 and 21 having been withdrawn as a result of the June 25, 2008 election of species requirement. Claims 14 and 22 are independent.

The Office Action rejects claims 14-17, 19 and 22 under 35 U.S.C. §103(a) over U.S. Patent No. 5,224,156 to Fuller et al. in view of U.S. Patent No. 5,946,386 to Rogers et al.; and rejects claims 18 under 35 U.S.C. §103(a) over Fuller and Rogers and further in view of U.S. Patent No. 6,825,955 to Shibata. These rejections are respectfully traversed.

Applicant's independent claim 14 is directed to a fax data transmission device. Claim 14 is explained with reference to a preferred embodiment. A first storing unit is operable to store fax data and an identifier for identifying the fax data in correspondence with each other. A second storing unit is operable to store information showing a correspondence between an original destination of the fax data and a send information destination. The send information destination is a destination of send information which includes the identifier and a notification that the fax data identified by the identifier is going to be sent. A notifying unit is operable to send the send information to the send information destination corresponding to the original destination of the fax data with reference to the information stored in the second storing unit. A receiving unit is operable to receive, as a reply to the send

information, destination information from the send information destination for specifying a destination to which the fax data should actually be sent, and extracts the destination information from the reply. A sending unit is operable to send the fax data to the destination specified by the destination information. See Figures 18 and 33.

In the non-limiting example disclosed in Applicant's published specification beginning at paragraph [0145], a user of the MFP 230 instructs the MFP 230 to send a send notification destination register mail to each sender device registered in the MFP 230, including the MFP 530. The send notification destination register mail shown in Fig. 31 contains a mail address or a fax number of an original destination of fax data, and a mail address of a send notification mail destination. For example, in the send notification destination register mail, mobile telephone 410 is designated as a send notification mail destination. When fax data needs to be sent by MFP 530 to MFP 230, the MFP 530 refers to the send notification destination storing unit 539. The send notification destination storing unit 539 stores the information which designates the mobile phone 410 as the send notification mail destination corresponding to the MFP 230. Accordingly, the MFP 530 sends a send notification mail to the mobile telephone 410. The mobile telephone 410 receives the send notification mail form the MFP 530. The mobile telephone 410 then sends information for specifying a destination to which the fax status should actually be sent, as a reply mail to the send notification mail. The MFP 530 extracts information about a send notification destination from the reply mail and sends the fax data to destination specified in the reply mail. The claims are not limited to the preferred disclosed embodiments.

The Fuller patent discloses a method and apparatus for causing a message to be sent in facsimile compatible form over a telephone system from a first location to a second location and allowing delivery of facsimile information to a recipient at a remote location from a local facsimile machine. Once facsimile information is stored in a facsimile enhancement apparatus 60, an individual is notified that a facsimile message has been received. Fuller discloses informing the recipient that a facsimile message has been received by having apparatus 60 call a telephone number and output a voice message, contact a pager or beeper, or call a remote facsimile machine and send a facsimile message to the recipient notifying that a facsimile message has been received. When the recipient has been notified that a facsimile message has been stored in his mailbox, the facsimile message may be retrieved in several different ways. The facsimile message may automatically be forwarded to another facsimile machine at a remote location that is previously stored. The user may also call from a facsimile machine at a remote location and instruct the apparatus 60 to transmit the facsimile message immediately.

Fuller does not disclose a receiving unit operable to receive as a reply to send information destination information from the send information destination for specifying a destination to which the fax status should actually be sent and extract the destination information from the reply as in Applicant's amended independent claim 14.

Rogers does not overcome this deficiency of Fuller. In Rogers, a destination party is notified of a new fax or data through messages sent by a call management computer 101 to a user's work station 114. A list of unread fax or data messages are displayed in a call management window 115 shown in Fig. 8. Destinations are

stored in a directory and are not extracted from the reply. See column 41, lines 1-20. Thus, withdrawal of the rejection of independent claim 14 is respectfully requested.

Applicant's independent claim 22 is directed to a fax data transmission system comprising, in combination with other claimed features, a portable communication device including a third receiving unit operable to receive send information from a notifying unit in a fax data transmission device, when designated as the send information destination and a replying unit operable to send destination information to the fax data transmission device. The Examiner alleges that these features are disclosed in Fuller at column 2, lines 20-25 and column 7, lines 50-60. This assertion is respectfully traversed.

In Fuller at column 2, lines 20-25, there is recognized the need for a device which will notify a person who has been sent a facsimile message that such a message has been received and then be capable of delivering the facsimile message to another location where the individual is located. Column 7, lines 50-60 relate to instructing apparatus 60 to call a telephone number and output a voice message notifying him that he has received a facsimile message that has been stored in his mailbox. However, neither of these relate to actually receiving the facsimile. In Fuller there are two ways to receive the message remotely. One is to have a pre-stored remote facsimile number. The second is to call from a facsimile machine at a remote location and instruct the apparatus to transmit the facsimile message immediately on the same phone call. None of these provide the advantages of using, for example, a mobile telephone 410 and specifying a destination to which the fax should actually be set. For example, the user may not be at a location that contains a facsimile machine and therefore, the user cannot

immediately know if he has received a fax. Thus, the provision of the portable communication device in claim 22 provides advantages not realized by Rogers or Fuller either alone or in combination. Thus, Applicant's independent claim 22 is distinguishable over Fuller and Rogers either alone or in combination.

The dependent claims are allowable for at least the reasons discussed above as well as for the individual features they recite. For example, new dependent claim 23 recites the second receiving unit extracts the destination information from the reply to the send information. New claim 24 recites the identifier is included in a message body of an internet mail. Neither of these features are disclosed in the applied references.

The Shibata reference does not overcome the deficiencies of Fuller and Rogers noted above.

Prompt and favorable examination on the merits is respectfully requested. Should any questions arise in connection with this application, or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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